

REMARKS/ARGUMENTS

The Examiner has rejected claims 1, 5, 9, 12, 24, 25, 28, 32 and 36 as obvious over Pella et al.(6234802) in view of Lewis et al (5059127). Claims 9, 12, 32 and 36 have been cancelled. Claims 1 and 24 have been amended, The Examiner's rejection is respectfully traversed in view of these amendments.

The present invention provides a unique approach to presenting realistic interactive language training while calculating a user skill level with sophisticated tools to allow learning aides to be added as required. Claim 1 has been amended to specifically define scope of the presented aides available based on user skill level determination in responses. These limitations include alternative presentation of the entire interaction in text format with control of selectable audible representations of each portion of the interaction. Pella and Lewis do not disclose or suggest such learning aides. The Examiner in his rejection of claims 7 and 8 (now cancelled as incorporated in claim 1) and claim 15 has cited Styles (2004/0018478) as disclosing the presentation of alternative responses in text format. The limited and rigid presentation of alternative text responses in Styles does not disclose or suggest the robust capabilities provided by the present invention as claimed where character statements as well as potential responses may be audibly reviewed prior to selection. Pella discloses a skill level tracking system, however, as noted by the Examiner does not disclose selection of new character response or the presentation of additional learning aides. Similarly, Lewis, cited by the Examiner for presentation of "questions" to the student based on current estimated skill level, does not disclose or suggest the added depth of presentation of additional aides provided by the "VoiceBox" in the present invention (disclosed in the present specification at page 16 line 3 through page 17 line 2 and FIG. 11) which are now specifically claimed in claim 1. The applicants respectfully contend that claims 1 and 24 as now amended are allowable over the art of record.

The applicants respectfully traverse the Examiner's rejection of claims 5 in view of the amendments to claim 1 from which it depends. Further, the Examiner has cited Pella col. 1: 34 -39 as disclosing the claimed features in claim 5 and claims 2-4. The applicants respectfully contend that the citation in Pella teaches away from the current combination. Pella's dismissal of the cited technology as "very limited and not

particularly realistic” suggesting that it is no longer necessary in system such as those disclosed in Pella. The present invention to the contrary specifically enables such additional aides for reference by the student in considering an appropriate response. Additionally, the Examiner’s citation to Pella as disclosing that the “user may click on a selected object” col. 4: 62-64 is misplaced. The selection in Pella is specifically to “pick up” or “retrieve” an object in response to a question or command from the “person” conversing. This is contrary to the learning aid usage provided by the present invention. The Examiner’s rejection of claim 25 is similarly traversed based on the argument above and its dependence on claim 24 as amended.

The Examiner has rejected claims 6, 13 and 29 as obvious in view of Pella et al. Lewis and Fisher (2001/0041328). Claim 13 has been cancelled. The applicants respectfully contend that the combination of elements present in claims 6 and 29 as ultimately dependent on claims 1 and 24 as amended recite patentable combinations as argued above.

The Examiner has rejected claims 7, 8, 15, (37), 18, 30 and 31 as unpatentable over Pella et al in view of Lewis, Bishop (5810599) and Styles. Claims 7, 8, 30 and 31 have been cancelled. Claims 15 and 37 have been amended. As argued above with respect to claim 1 incorporating the limitations of claims 7 and 8, claims 15 and 18 as dependent thereon and claim 37 provide features not disclosed or suggested in the cited art. The applicants respectfully contend that the Examiner’s citation of Bishop as disclosing the features of the “Voice Box” of the present invention as claimed is respectfully traversed. The Bishop device provides for playback of visual elements of the presentation including sound by the student in conjunction with display of text transcription. The present in invention provides a text representation of the interactive character’s spoken phrase (with the ability to audibly reproduce that phrase multiple times if desired based on the “first control input”) and provides a plurality of potential responses each of which may be audibly reproduced using the “second control input”. Bishop and the other cited references do not disclose or suggest such features.

The Examiner has rejected claims 23 and 42 in part based Chen (5087205), Grayson (2006/0127871) and Chang et al.(2003/0130836). Claims 23 and claim 42 as amended specifically recite the application of a weighted function of parameters

including response time for determining user skill level. Chen provides for merely a cutoff based on exceeding time limits (see col. 9:2-15). Chen and the other cited art do not disclose or suggest applying weights to differing measurements of user skill to determine an overall skill level. This feature of the present invention provides a significantly increased level of sophistication for determining the true skill of the student and matching the system operation to that skill level.

The Examiner has rejected claim 14 which has been cancelled.

The Examiner has rejected claims 19, 21, 41 and 43 as unpatentable over Pella, Lewis and Grayson (2006/0127871). Claims 19 and 21 have been cancelled. The applicants respectfully contend that claims 41 and 43 as ultimately dependent on claim 24 present allowable combinations as argued above. Specifically with respect to claim 43 in view of its additional amendment, the applicants repeat their argument presented with respect to claims 23 and 42 above.

Claims 20 – 22, and 30-36 have been cancelled and it is believed that all rejections by the Examiner of remaining claims have been addressed.

In view of the amendments to the claims and the argument provided above, the applicant believes that all claims presently pending in the application are now allowable and action by the Examiner in that regard is respectfully requested.

Respectfully submitted,
/Felix L. Fischer/
Felix L. Fischer
Reg. No. 31,614
1607 Mission Drive, Suite 204
Solvang, California 93463
Phone: 805-693-0685
Fax: 805-693-0735

Date: 01/24/2007